



**20 JUL 2007**

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In re Application of	:	
GOLDSON, et al.	:	
U.S. Application No.: 10/562,717	:	DECISION ON RENEWED
PCT No.: PCT/NZ04/00137	:	
Int. Filing Date: 01 July 2004	:	PETITION UNDER
Priority Date: 03 July 2003	:	
Attorney Docket No.: JAW-101/PCT/US	:	37 CFR 1.47(a)
For: A METHOD OF AND APPARATUS FOR	:	
DETECTING THE PRESENCE OF SIGNATURE	:	
VOLATILE COMPOUNDS FROM MATERIALS	:	
IN A CONFINED ENVIRONMENT	:	

This decision is in response to the applicant's "Renewed Petition Under 37 CFR 1.47" filed 05 July 2007 in the United States Patent and Trademark Office (USPTO) to accept the application without the signature of joint inventor Terence John Braggins.

### **BACKGROUND**

On 10 April 2007, applicant was mailed a decision dismissing applicant's petition under 37 CFR 1.47(a). Applicant was afforded two months to file any request for reconsideration.

On 05 July 2007, applicant filed the present renewed petition accompanied by a petition for a one-month extension of time and payment of the appropriate extension of time fee. With payment of the one-month extension of time fee, the present response is considered timely filed.

### **DISCUSSION**

As detailed in the decision mailed 10 April 2007, a petition under 37 CFR 1.47(a) must be accompanied by (1) the fee under 37 CFR 1.17(g), (2) factual proof that the missing joint inventor refuses to execute the application or cannot be reached after diligent effort, (3) a statement of the last known address of the missing inventor, and (4) an oath or declaration by each 37 CFR 1.47(a) applicant on his or her own behalf and on behalf of the non-signing joint inventor. Applicant previously satisfied items (1) and (3) above.

With the filing of the present renewed petition and accompanying documentation applicant has satisfied the remaining two items. Specifically, applicant has provided a letter from the non-signing inventor indicating that he is aware of the particular application and refuses to

sign the declaration. In addition, applicant has presently provided a declaration which complies with 37 CFR 1.497(a)-(b). Pursuant to MPEP 605.04, although the filed declaration misspells the name of inventor Braggins, since applicant has detailed the correct spelling and this is a mere typographical error a new petition and declaration is not required.

### CONCLUSION

For the reasons above, applicant's petition under 37 CFR 1.47(a) is **GRANTED**.

The application has an international filing date of 01 July 2004 under 35 U.S.C. 363, and will be given a date of **05 July 2007** under 35 U.S.C. 371 (c).

As provided in 37 CFR 1.47(c), a notice of the filing of this application will be forwarded to the non-signing inventor at his last known address of record.

A notice of the filing of the application under 37 CFR 1.47(a) will be published in the Official Gazette.

This application is being returned to the DO/EO/US for processing in accordance with this decision. Specifically, the mailing of a Notification of Acceptance (Form PCT/DO/EO/903).



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